

Not only is Chairman Issa's contempt resolution legally deficient, but he has also used highly partisan and legally incorrect arguments to attack the credibility of a Department of Justice attorney assigned to the team of more than 11 lawyers and FBI agents who are investigating IRS employees' conduct.

In a letter to the Attorney General, Chairman Issa alleged that because of donations that a career DOJ attorney made to the DNC and the President's campaign, her involvement in the DOJ investigation is "highly inappropriate" and creates "the appearance of a substantial and material conflict of interest."

Independent legal experts have found that the conflict of interest claims made by Chairman Issa are unfounded as a matter of law.

For example, Daniel Richman, a Columbia Law School professor and a formal prosecutor with twenty years of scholarship on federal criminal enforcement issues, examined the contributions made by Ms. Bosserman, concluding, quote:

"Any claim that these contributions, in of themselves, create a conflict of interest or should be cause for disqualification for a career prosecutor investigating allegations of political targeting in the Executive Branch strikes me as meritless."

And although Chairman Issa and Chairman Jordan requested that the Attorney General, quote "immediately remove Ms. Bosserman from the ongoing investigation" federal law protects career government employees' right to engage in the political process.

Federal law, 5 U.S.C. § 2301 states that: "All employees and applicants for employment should receive fair and equitable treatment in all aspects of personnel management without regard to political affiliation."

As Professor Richman explained, it would be quote:

“Highly inappropriate for Justice Department officials, in putting an investigative team together to inquire into the legal political contributions that line prosecutors have made in their private capacity.”